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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

AUG 27 2004

LUTHER D. THOMAS, Clerk  
By: Deputy Clerk

JERRY O. KROW, AND MICHAEL )  
MIAHNAHRI, )

Plaintiffs, )

v. )

AUTONATION, INC., )  
d/b/a TEAM TOYOTA OF LITHIA )  
SPRINGS, )

Defendant. )

CIVIL ACTION NO.  
1 04-CV 1860 - JTC

**JOINT MOTION AND MEMORANDUM TO STAY PLAINTIFF  
MIAHNAHRI'S CASE PENDING ARBITRATION**

Plaintiff Michael Miahnahri ("Plaintiff") and Defendant have a written agreement requiring the parties to submit to arbitration any claim between them arising from Plaintiff's employment. The claims Plaintiff asserts in this case are covered by the parties' arbitration agreement. Thus, Plaintiff and Defendant through undersigned counsel, move this Court, pursuant to the Federal Arbitration Act, 9 U.S.C. § § 1-16, to stay Plaintiff Miahnahri's current judicial proceedings until the parties resolve this dispute through arbitration. As a condition to this joint motion, Defendant has agreed to bear the costs of arbitration; provided, however, this agreement does not limit Plaintiff's or Defendant's rights to seek recovery of

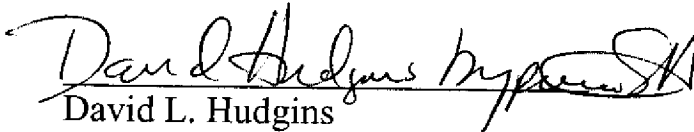
such costs should they be considered recoverable under the applicable rules of procedure and/or case law.

**CONCLUSION**

For the above reasons, Plaintiff Miahnahri and Defendant respectfully request that the Court grant their Joint Motion to Stay Proceedings Pending Arbitration.

This 26<sup>th</sup> day of August, 2004.

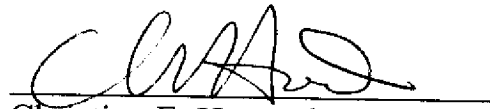
Respectfully submitted,



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ATTORNEY FOR PLAINTIFF



Christine E. Howard  
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ATTORNEYS FOR DEFENDANT

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

JERRY O. KROW, AND MICHAEL	)	
MIAHNAHRI,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	CIVIL ACTION NO.
	)	1 04-CV 1860 - JTC
AUTONATION, INC.,	)	
d/b/a TEAM TOYOTA OF LITHIA	)	
SPRINGS,	)	
	)	
Defendant.	)	

ORDER

The parties having agreed to arbitrate Plaintiff Miahnahri's claims,

By consent of the parties, IT IS HEREBY ORDERED that Plaintiff's claims be arbitrated according to the terms of the parties' agreement and that Defendant pay the costs of arbitration subject to either parties' right to recover said costs, and that these proceedings be stayed pending the outcome of the arbitration.

\_\_\_\_\_  
United States District Court Judge

\_\_\_\_\_  
Date

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

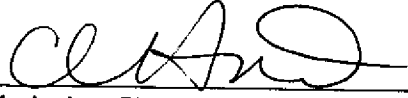
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MIAHNAHRI,	)	
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AUTONATION, INC.,	)	
d/b/a TEAM TOYOTA OF LITHIA	)	
SPRINGS,	)	
	)	
Defendants.	)	

**CERTIFICATE OF SERVICE**

This is to certify that I have this day served a copy of the within and foregoing **Joint Motion And Memorandum To Stay Plaintiff Miahnahri's Case Pending Arbitration** by placing a copy in the United States mail, with sufficient postage affixed thereto to ensure first class delivery to:

David L. Hudgins  
920 Holcomb Bridge Road  
Suite 100  
Roswell, Georgia 30076

This 26<sup>th</sup> day of August, 2004.

  
\_\_\_\_\_  
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